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Human rights questions: implementation of human rights instruments

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Question of the death penalty

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling article 3 of the Universal Declaration of Human Rights, which affirms the right of everyone to life, article 6 of the International Covenant on Civil and Political Rights[2] and articles 6 and 37 (a) of the Convention on the Rights of the Child,[3]

Recalling also its resolutions 2857 (XXVI) of 20 December 1971 and 32/61 of 8 December 1977 on capital punishment, as well as resolution 44/128 of 15 December 1989, in which it adopted and opened for signature, ratification and accession the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] Resolution 44/25, annex.

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Welcoming Commission on Human Rights resolution 1999/61 of 28 April 1999,

Taking note of the report of the Secretary-General concerning the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights,[4]

Deeply concerned that several countries impose the death penalty in disregard of the limitations provided for in the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and concerned also that several countries do not take into account the safeguards guaranteeing protection of the rights of those facing the death penalty, set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984,

Convinced that abolition of the death penalty contributes to the enhancement of human dignity and to the progressive development of human rights,

Welcoming the fact that many countries are applying, whether de facto or *de jure*, a moratorium on executions,

Commending those countries that have recently abolished the death penalty,

Reaffirming that all peoples have the right to freely determine their political status and to freely pursue their economic, social and cultural development,

1. *Calls upon* all States parties to the International Covenant on Civil and Political Rights that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

2. *Urges* all States that still maintain the death penalty:

(a) To comply fully with their obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, as well as with other international obligations, in particular those under the Vienna Convention on Consular Relations;

(b) To observe the safeguards guaranteeing protection of the rights of those facing the death penalty, set out in the annex to Economic and Social Council resolution 1984/50;

(c) To ensure that no reservations under article 6 of the International Covenant on Civil and Political Rights are contrary to the object and purpose of the Covenant;

3. *Calls upon* all States that still maintain the death penalty:

(a) Progressively to restrict the number of offences for which the death penalty may be imposed;

(b) To establish a moratorium on executions, with a view to completely abolishing the death penalty;

(c) To make available to the public information with regard to the imposition of the death penalty;

4. *Decides* to continue to consider this matter.

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[4] A/54/277 and Corr.1.